

**Express Mail No. EV372583202US**  
**Information Disclosure Statement dated March 1, 2004**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Mail Stop Patent Application, Commissioner for Patents, P. O. Box 1450, Alexandria VA 22313-1450 on

*[Large handwritten signature over the entire block]*

March 1, 2004

March 1, 2004

David J. Josephic R. No. 22,849

Date

**Continuation-In-Part of:**

Serial No: 10/254,118  
Filed: September 25,2002  
Applicant: Ronnie L. Howard et al  
Title: ULTRA-HIGH TEMPERATURE PASTEURIZED MILK CONCENTRATE, PACKAGE, DISPENSER AND METHOD OF PRODUCING SAME  
Art Unit: 1761  
Examiner: S. Weinstein  
Conf. No: 9580

Cincinnati, Ohio 45202

March 1, 2004

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of candor and good faith which is imposed by Rule 56 (37 C.F.R. §1.56), the art listed on the attached form PTO-1449 is called to the attention of the U.S. Patent and Trademark Office in connection with the above identified patent application. Copies of the cited "foreign" references and "other documents" are attached hereto. No

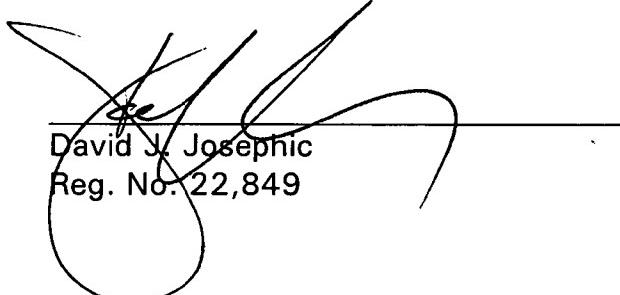
ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /D.R./

representation is made that the cited art is the only art or that the cited art represents the best art.

The Examiner is urged to consider the cited references and to make an independent decision with respect to their materiality.

Respectfully submitted,

WOOD, HERRON & EVANS, L.L.P.

  
David J. Josephic  
Reg. No. 22,849

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SUBSTITUTE FORM PTO-1449 (MODIFIED)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE							ATTY. DOCKET NO. MTECH/11		SERIAL NO. CIP of 10/254,118	
									APPLICANT Ronnie L. Howard and Frank D. Lauch			
		(Use several sheets if necessary) (37 CFR 1.98(b))							FILING DATE March 1, 2004		GROUP unknown	

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		PATENT NUMBER							ISSUE DATE	PATENTEE		CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
/D.R./	A.A	2	4	7	3	4	9	3	6/14/49	Herbert E. Otting, et al.		99	55	
	A.B	2	4	9	0	5	9	9	9/11/46	Herbert E. Otting		99	55	
	A.C	2	5	6	5	0	8	5	8/21/51	David D. Peebles		99	55	
	A.D	2	5	7	0	2	3	1	10/9/51	Francis Frederick Hansen		99	55	
	A.E	2	6	6	3	6	4	2	6/26/51	Randall Whitaker, et al.		99	55	
	A.F	2	7	1	2	5	0	4	7/5/55	Wallace H. Coulter		99	212	
	A.G	2	8	2	2	2	7	7	2/4/58	Melvin E. Ellertson, et al.		99	212	
	A.H	2	8	2	7	3	8	1	3/18/58	John M. Boyd		99	184	
	A.I	2	8	4	5	3	5	0	7/29/58	Donald F. Wilcox		99	55	
V	A.J	2	8	6	0	0	5	7	11/11/58	Donald F. Wilcox		99	212	
/D.R./	A.K	2	8	8	6	4	5	0	5/12/59	Aubrey P. Stewart, Jr., et al.		99	200	

## FOREIGN PATENTS OR PUBLISHED FOREIGN PATENT APPLICATIONS

		DOCUMENT NUMBER	PUBLICATION DATE	COUNTRY OR PATENT OFFICE	CLASS	SUBCLASS	TRANSLATION (YES/NO)
/D.R./	A.L	1085224	28 January 1955	FR	4		No
/D.R./	A.M	1405512	10 September 1975	GB	A23C	9/10	N/A
/D.R./	A.N	WO 92/21245	10 December 1992	International	A23C 1/00	3/02	N/A
	A.O						
	A.P						
	A.Q						

## OTHER DOCUMENTS (Including Author, Title, Date, Place of Publication)

/D.R./	A.R	D. D. Muir, et al., <u>Production and properties of in-can sterilised concentrated milk with 39% solids: seasonal effects</u> , Milchwissenschaft 47 (1) 8-11 1992
/D.R./	A.S	Tetra Pak, <u>Tetra Therm Aseptic VTIS Direct UHT treatment module - based on steam injection</u> , ©1996 Tetra Pak Processing Systems AB, Lund, Sweden
/D.R./	A.T	U.S. Dept of Health & Human Services, <u>Grade "A" Pasteurized Milk Ordinance</u> , Public Health Service/FDA Publication No. 229, Section 7, pp. 18-19, 1999 Revision

EXAMINER	/Daniel Robinson/	DATE CONSIDERED
		09/05/2008

EXAMINER: Initial if citation considered, whether or not in conformance. Draw line through citation only if not in conformance and not considered. Include a copy of this form with next communication to applicant.

Substitute Disclosure Form (PTO-1449)

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		INFORMATION DISCLOSURE STATEMENT BY APPLICANT							APPLICANT Ronnie L. Howard and Frank D. Lauch			
(37 CFR 1.98(b))									FILING DATE March 1, 2004			GROUP unknown

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		PATENT NUMBER							ISSUE DATE	PATENTEE		CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
/D.R./	B.A	3	0	3	1	3	1	5	4/24/62	Abraham Leviton, et al.		99	215	
	B.B	3	0	6	5	0	8	6	11/20/62	Abraham Leviton, et al.		99	212	
	B.C	3	0	7	2	4	9	1	1/8/63	Abraham Leviton, et al.		99	212	
	B.D	3	1	0	8	8	7	5	10/29/63	Raymond W. Bell		99	55	
	B.E	3	1	1	9	7	0	2	1/28/64	Abraham Leviton, et al.		99	212	
	B.F	3	1	6	7	4	3	7	1/26/65	Abraham Leviton, et al.		99	212	
	B.G	4	0	9	1	1	1	8	5/23/78	Olivier de Rham		426	46	
	B.H	4	2	8	2	2	6	2	8/4/81	Jon R. Blake		426	565	
	B.I	4	3	6	2	7	5	6	12/7/82	Alexander W. Williams		426	587	
V	B.J	4	7	0	1	3	2	9	10/20/87	Catherine E. Nelson, et al.		426	74	
/D.R./	B.K	4	8	4	2	8	8	4	6/27/89	George N. Bookwalter, et al.		426	585	

## FOREIGN PATENTS OR PUBLISHED FOREIGN PATENT APPLICATIONS

		DOCUMENT NUMBER	PUBLICATION DATE	COUNTRY OR PATENT OFFICE	CLASS	SUBCLASS	TRANSLATION (YES/NO)
	B.L						
	B.M						
	B.N						
	B.O						
	B.P						
	B.Q						

## OTHER DOCUMENTS (Including Author, Title, Date, Place of Publication)

/D.R./	B.R	Ronnie L. Howard, et al., <u>Ultra-High Temperature Milk Concentrate Package and Method of Producing Same</u> , US 2001/O026825 A1
	B.S	
	B.T	

EXAMINER	/Daniel Robinson/	DATE CONSIDERED
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/D.R./	C.A	4	8	5	1	2	5	0	7/25/89	Herve X. Bronnert		426	511	
	C.B	4	9	2	1	7	1	7	5/1/90	Heva m. P. Ranjith		426	587	
	C.C	5	2	2	3	2	9	9	6/29/93	Ernesto Dalan, et al.		426	587	
	C.D	5	2	2	9	1	5	9	7/20/93	Michael Schwan		426	587	
	C.E	5	2	6	0	0	7	9	11/9/93	Karl-Heinz Zettier, et al.		426	231	
↓	C.F	5	3	5	3	9	6	3	10/11/94	Chris W. Gorski, et al.		222	129.1	
/D.R./	C.G	5	7	6	6	6	6	6	6/16/98	Paul Joseph Streiff, et al.		426	587	
	C.H													
	C.I													
	C.J													
	C.K													

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